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11 Attorneys for Plaintiffs

14
 15 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA
 16 **SAN FRANCISCO DIVISION**

17 **JAMES ARMSTRONG, et al.,**

18 Plaintiffs,

Case No. C04-1536 VRW

(Case No. C01-2611 VRW)

19 v.

STIPULATION; ORDER THEREON

20 **CITY AND COUNTY OF SAN FRANCISCO**
 21 **and DOES 1-50, inclusive**

Defendants.

22 **CONNIE L. BROWN**

23 Plaintiff,

24 v.

25 **CITY AND COUNTY OF SAN**
 26 **FRANCISCO, et al.**

27 Defendants,

1 The parties have previously requested continuances due to plaintiff Connie L. Brown's need
2 for neurosurgery, on two separate occasions - two separate surgeries, and Plaintiff Connie Brown's
3 recovery postoperatively is progressing. The two neurosurgeries to remove tumors have been
4 successful and Ms. Brown's recovery is almost complete. However, the schedule for follow-up
5 treatment plan required for Ms. Brown's complete recovery that was presented to the Court was
6 delayed for approximately three months and should be completed by the end of September 2006.
7 Concomitant with the delay in implementation of Ms. Brown's final round of follow-up treatment,
8 counsel for City and County of San Francisco, Jill Sprague, has retired. Ms. Sprague has been the
9 attorney handling this case since its inception, except for a brief period while she was on maternity
10 leave. Terrence Howzell is now the attorney for the City and County of San Francisco.

11 Due to the nature and complexity of this case, the need for Ms. Brown's complete and
12 undivided attention to assist in her case, and the fact there are no other attorneys in defense counsel's
13 office who are sufficiently familiar with either the *Armstrong* action [C01-2611 VRW] or the *Brown*
14 action [C04-1536 VRW] to prepare, take and complete depositions the parties jointly respectfully
15 request one final continuance. Because of the similarity of facts, witnesses, and legal issues in the
16 *Armstrong* action [C01-2611 VRW] and the *Brown* action [C04-1536 VRW], the discovery is
17 overlapping, and, at the Joint Case Management Conference, before the Honorable Vaughn R.
18 Walker, the parties had agreed to utilize the same discovery for both cases.

19 **IT IS HEREBY STIPULATED** by and between the parties hereto, through their
20 respective counsel as undersigned, that :

21 1. Non-expert discovery completion date be continued from the currently scheduled
22 date of September 19, 2006 to February 19, 2007;

23 2. Filing for dispositive motions, including summary judgment, be continued from
24 the currently scheduled date of September 19, 2006 to February ²²19, 2007;

25 3. Hearing on the dispositive motions, including summary judgment, be continued
26 from the currently scheduled date of October 26, 2006, at 2:00 p.m. to March ²⁹26, 2007, at 2:00
27 p.m.;

28 4. Expert discovery disclosure reports be continued from the currently scheduled


1 date of October 13, 2006 to March 13, 2007;

2 5. Expert discovery rebuttal completion date be continued from the currently
3 scheduled date of November 13, 2006 to April 13, 2007;


4 6. Completion of expert discovery be continued from the currently scheduled date of
5 December 11, 2006 to May 11, 2007; and

6 7. Pre-trial conference be continued from the currently scheduled date of December
7 29, 2006 to ^{June 5} ~~May 30~~, 2007. at 9:00 a.m.

10 Dated: July 5, 2006 ANDERLINI, FINKELSTEIN, EMERICK & SMOOT

12 By: 
13 PAUL J. SMOOT
Attorneys for Plaintiff

14 Dated: 7/6/06 SAN FRANCISCO CITY ATTORNEY'S OFFICE


16 By: 
17 TERENCE HOWZELL
18 Attorneys for Defendant CITY AND COUNTY OF
19 SAN FRANCISCO and DEPARTMENT OF
PUBLIC WORKS

20 I hereby attest that I have on file all holograph signatures for any signatures indicated by a
21 "conformed" signature (/S/) within this e-filed document.

23 IT IS SO ORDERED.

24 Dated: 7/13/06

ORDER


JUDGE OF THE U.S. DISTRICT COURT